

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF PUERTO RICO**

IN THE MATTER OF:

JUAN A. LÓPEZ-ROSARIO  
NILSA E. GARCÍA-MARRERO  
Debtor(s)

CASE NO: 07-03026 GAC

CHAPTER 13

NOTICE OF POST CONFIRMATION MODIFICATION OF PLAN DATED JUNE 19, 2009

TO THE HONORABLE COURT:

COMES NOW, debtor(s) through the undersigned attorney and to this Honorable Court respectfully state(s), allege(s) and pray(s) as follows:

1. That a modified plan dated June 19, 2009 which is attached, has been filed with the Clerk of this Court.
2. That the Chapter 13 plan previously confirmed by this Honorable Court will remain in full force and effect unless the modified plan becomes the plan.
3. That the reasons of this amended post confirmation plan is for the following purposes:
  - (a) To surrender creditor Reliable Financial collateral to lien holder.
  - (b) On May 31, 2007 debtors filed voluntary petition. Debtors by mistakenly omitted to pay to residence's lien holder RG Mortgage (now creditor Banco Popular) the payment for the amount of \$1,276 (including late charges), see proof of claim number 16 filed today June 19, 2009.
  - (c) To include post petition-plan payment arrears for the months of:  
December 2007, \$200.00,  
February 2008, \$200.00,  
March 2008, \$200.00,  
June 2008, \$200.00,  
August 2008, \$200.00,  
December 2008, \$200.00, for the total of \$1,200.00
4. Debtors informed in motion titled "Response to motion to dismiss" dated August 26, 2008 (docket 48) that "during the months of July and August 2008 debtor suffered temporary income reduction in pets "dog puppies" sale and extraordinary expenses caused by automobile repairs. Debtors inform that during the months of June and July 2008 they suffered sales reduction caused by the changes in the law 67 of 1973 "a law that regulates the sale of pets in Puerto Rico". Also debtor informs that during the June 2008 he had to incur in automobile repairs at a cost of \$600.00."

During December 2008 debtor incurred in another plan payment arrears. The reason for the arrear was unexpected family expenses. In order to avoid further arrears, provide for the plan payment and eventually obtain a discharge, on June 10, 2009 debtor

surrender a motor vehicle that serves as collateral for creditor Reliable Financial. Evidence of automobile surrender is attached, see exhibit A.

5. Today debtor came to our law office. Debtor submitted income evidence and prepared a family budget. As a result, today, June 19, 2009 debtors filed amended schedules I and J, see dockets 68 and 69. Income evidence was attached with schedule I. After family budget evaluation debtors proposes the following plan payment which is attached.
6. Debtors inform that they have mortgage payment arrears: \$1,276.62 for the month of May 2009 (late charges included) and \$1,276.62 for the month of June 2009 (late charges included). Today debtor will visit Banco Popular branch today and will provide the following money orders:
  - (a) Money order number 103206200010309 dated May 20, 2009 for the amount of \$1,276.15, see exhibit B.
  - (b) Money order number 103206200010232 dated June 17, 2009 for the amount of \$1,276.15, see exhibit C.

WHEREFORE, it is respectfully requested from this Honorable Court to approve the attached post confirmation plan dated June 19, 2009.

30 DAYS NOTICE:

*IN ACCORDANCE WITH FRBP 1017, FRBP 2002, AND FRBP 9013, AND LOCAL GENERAL ORDER NO 97-01, THE DEBTORS, ALL CREDITORS AND PARTIES IN INTEREST IN THIS CASE, ARE HEREBY NOTIFIED THAT UNLESS AN OPPOSITION TO THIS MOTION IS SUBMITTED IN WRITING WITHIN 30 DAYS FROM THE DATE APPEARING IN THE CERTIFICATE OF SERVICE, INFRA, THE COURT MAY GRANT THIS MOTION, WITHOUT A HEARING.*

WE HEREBY CERTIFY that on this same date copy of this notice has been sent to Mr. Alejandro Oliveras-Rivera through ECF Filing System, e-mail address: [aorecf@ch13ju.com](mailto:aorecf@ch13ju.com) and US Mail, PO Box 9024062, Old San Juan Station, San Juan, PR 00902-4062 and to all parties mentioned in attached Master Address List.

Respectfully submitted,

In San Juan, Puerto Rico this June 19<sup>th</sup>, 2009

*JAIME RODRÍGUEZ LAW OFFICE, PSC*  
Attorney for debtor  
Atrium Plaza Apt. 28  
225 Calle José Oliver  
San Juan, PR 00918-1469  
Telephone/Fax (787) 797-4174, 730-5454  
[bayamonlawoffice@yahoo.com](mailto:bayamonlawoffice@yahoo.com)

ELECTRONICALLY FILED  
S/ Jaime Rodríguez-Pérez.  
USDC PR 221011

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO

IN RE: **JUAN A. LOPEZ-ROSARIO**  
**NILSA E. GARCÍA-MARRERO**

BK. CASE # **07-03026** **GAC**

CHAPTER 13

DEBTOR(S) SSN: XXX-XX-5076 SSN: XXX-XX-1116

CHAPTER 13 PAYMENT PLAN

**NOTICE:** \* The following plan contains provisions which may significantly affect your rights. You should read this document carefully and discuss it with your attorney. When confirmed, the plan will bind the debtor and each creditor to its terms. Objections must be filed in writing with the Court and served upon the debtor(s), debtors' counsel, the Trustee and any other entity designated by the Court, at the 341 meeting of creditors or not less than twenty (20) days prior to the scheduled confirmation hearing. For post confirmation Plan Modifications, objections must be filed and notified in the same manner within twenty (20) days from its notification. \* See the notice of commencement of case for 341 meeting date and claims bar date, the latter is the date by which a proof of claim must be filed in order to participate of the plan distribution.

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee:  
☒ directly ☐ by payroll deductions, as hereinafter provided in the PAYMENT PLAN SCHEDULE.  
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.  
☐ 3. The Confirmation Order will not vest property of the Estate on Debtor(s) until the Order discharging Debtor(s) is entered.

PLAN DATED:

☐ PRE ☒ POST-CONFIRMATION

☒ AMENDED PLAN DATED: **6/19/2009**

FILED BY ☒ DEBTOR ☐ TRUSTEE ☐ UNSECURED CREDITOR

I. PAYMENT PLAN SCHEDULE

\$ 200.00 x 3 = \$ 600.00  
\$ 270.00 x 4 = \$ 1,080.00  
\$ 0.00 x 6 = \$ 0.00  
\$ 200.00 x 11 = \$ 2,200.00  
\$ 230.00 x 36 = \$ 8,280.00  
TOTAL = 60 \$ 12,160.00

Additional Payments:

\$ \_\_\_\_\_ to be paid as a LUMP SUM  
within \_\_\_\_\_ with proceeds to come from

☐ Sale of property identified as follows:

☐ Other:

Periodic Payments to be made other than and in addition to the above.

\$ \_\_\_\_\_ x \_\_\_\_\_ = \$ \_\_\_\_\_

To be made on: \_\_\_\_\_

PROPOSED PLAN BASE: \$ 12,160.00

II. ATTORNEY'S FEES

To be treated as a § 507 Priority, and paid before any other creditor and concurrently with the Trustee's fees, unless otherwise provided:

a. Rule 2016(b) Statement: \$ 3,000.00  
b. Fees Paid (Pre-Petition): (\$ -2,800.00 )  
c. R 2016 Outstanding balance: \$ 5,800.00

d. Post Petition Additional Fees: \$ 275.00

e. Total Compensation: \$ 3,275.00

Paid during months # To

Signed: /s/ \_\_\_\_\_

DEBTOR

/s/ \_\_\_\_\_

JOINT DEBTOR

/s/ **Jaime Rodríguez Pérez**

BY: ATTORNEY

II. DISBURSEMENT MADE IN THE FOLLOWING ORDER AND AFTER ADMINISTRATIVE EXPENSES

A. SECURED CLAIMS: ☐ Debtor represents that there are no secured claims.

☒ Secured creditors will retain their liens and shall be paid as follows:

1. ☐ ADEQUATE PROTECTION Payments: Cr. \_\_\_\_\_ \$ \_\_\_\_\_

2. ☒ Trustee will pay secured ARREARS: (Below, write V for vehicle, M for Mortg & F for furniture in box)  
Cr. BANCO POPULAR A Cr. BANCO POPULAR B Cr. \_\_\_\_\_  
Acct. CLAIM 11, PRE PET ARREARS Acct. CLAIM 16, POST PET ARREARS Acct. \_\_\_\_\_  
\$ 3,202.62 \$ 1,276.15 \$ \_\_\_\_\_  
Monthly Pymt. \$ \_\_\_\_\_ Monthly Pymt. \$ \_\_\_\_\_ Monthly Pymt. \$ \_\_\_\_\_  
Month# \_\_\_\_\_ To Month# \_\_\_\_\_ Month# \_\_\_\_\_ To Month# \_\_\_\_\_

3. ☐ Trustee will pay REGULAR MONTHLY PAYMENTS:  
Cr. \_\_\_\_\_ Cr. \_\_\_\_\_ Cr. \_\_\_\_\_  
Acct. \_\_\_\_\_ Acct. \_\_\_\_\_ Acct. \_\_\_\_\_  
Monthly Pymt. \$ \_\_\_\_\_ Monthly Pymt. \$ \_\_\_\_\_ Monthly Pymt. \$ \_\_\_\_\_

4. ☐ Trustee will pay IN FULL Secured Claims:  
Cr. \_\_\_\_\_ Cr. \_\_\_\_\_ Cr. \_\_\_\_\_  
\$ \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_

5. ☐ Trustee will pay VALUE OF COLLATERAL:  
Cr. \_\_\_\_\_ Cr. \_\_\_\_\_ Cr. \_\_\_\_\_  
\$ \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_

6. ☐ Secured Creditor's interest will be insured. INSURANCE POLICY will be paid through plan:  
Cr. \_\_\_\_\_ Ins. Co. \_\_\_\_\_ Premium: \$ \_\_\_\_\_  
(Please indicate in "Other Provisions" the insurance coverage period)

7. ☒ Debtor SURRENDERS COLLATERAL TO Lien Holder:

8. ☒ Debtor will maintain REGULAR PAYMENTS DIRECTLY to:

BANCO POPULAR

B. PRIORITIES. The Trustee will pay §507 priorities in accordance with the law [§1322 (a)(2)].

C. UNSECURED PREFERRED: Plan ☐ Classifies ☒ Does not Classify Claims.

☐ Class A- ☐ Co-debtor Claims: ☐ Pay 100% / ☐ "Pay Ahead".  
☐ Class B- ☐ Other Class: \_\_\_\_\_  
☐ Cr. \_\_\_\_\_ ☐ Cr. \_\_\_\_\_  
\$ \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_

D. GENERAL UNSECURED NOT PREFERRED: (Case Liquidation Value = \$ \_\_\_\_\_)

☐ Will be paid 100% plus \_\_\_\_\_ % Legal Interest ☐ Will be paid Pro-Rata from any remaining funds

OTHER PROVISIONS:

LV. \$0.00, POOL TO UNSECURED: \$0.00  
PRIORITIES: \$0.00

1. DEBTOR SURRENDERS FIRSTBANK COLLATERAL. ON JULY 2008 DEBTOR SURRENDER COLLATERAL TO LIENHOLDER.

2. DEBTOR SURRENDER RELIABLE FINANCIAL COLLATERAL. ON JUNE 10, 2009 DEBTOR SURRENDER RELIABLE FINANCIAL COLLATERAL TO LIENHOLDER.

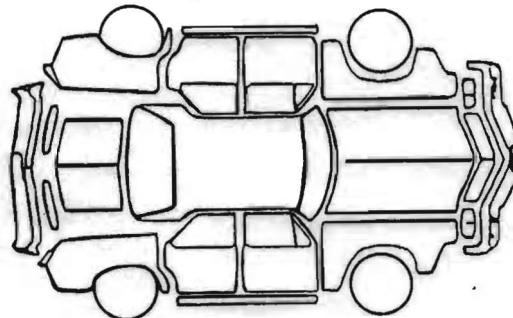
ATTORNEY FOR DEBTOR~ **Jaime Rodríguez Law Office P.S.C.** Condominio Atrium Plaza, Apt 28, 225 Calle José Oliver, San Juan, PR 00618-1469

Phone: **787-797-4174**

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Firma del Cliente	Hora	Fecha
Representante de Reliable Financial Services, Inc.	11:33	6/14/09
Recibido por Gruero (Firma)	11:34	6/14/09
Dealer o Compañía de Seguro o Lote	Hora	Fecha
Transferido a Lote	Hora	Fecha
Recibido en Lote	Hora	Fecha

LEYENDA: \* = RAYADO LEVE  
 X = ABOLLADURA MENOR  
 O = CHOCADO, NECESITA REEMPLAZO  
 OK = BUENA CONDICION (EXCEPTO USO Y DESGASTE NORMAL)



THIS DOCUMENT HAS A VOID PANTOGRAPH - BORDER CONTAINS MICROPRINTING AND A TRUE WATERMARK - HOLD TO LIGHT TO VERIFY WATERMARK

**BANCO POPULAR.**

BANCO POPULAR DE PUERTO RICO  
PO Box 362708 San Juan, Puerto Rico 00936-2708  
Vega Baja 062 20090615

**PERSONAL  
MONEY ORDER**

215

No. 103206200010309

Date 5/20/09

PAY: ONE THOUSAND TWO HUNDRED SEVENTY  
SIX DOLLARS AND 62/100

\$1,276.62  
DOLLAR ONE CORONA TWO SEVEN SIX PERIOD SIX TWO  
Not Valid Over \$2,000.00

TO THE  
ORDER OF

Popular Mortgage  
Cuenta - 071010014723681

FDIC Member and Federal Reserve System

JUAN A. Lopez Rosario  
Purchaser's Signature  
PO Box 959-Dorado  
Address P.R. 00646

⑈06200010309⑈ ⑆021502011⑆ 000⑈010324⑈

EXHIBIT C

THIS DOCUMENT HAS A VOID PANTOGRAPH - BORDER CONTAINS MICROPRINTING AND A TRUE WATERMARK - HOLD TO LIGHT TO VERIFY WATERMARK

**BANCO POPULAR.**

BANCO POPULAR DE PUERTO RICO  
PO Box 362708 San Juan, Puerto Rico 00936-2708  
Vega Baja 062 20090604

**PERSONAL  
MONEY ORDER**

215

No. 103206200010232

Date 6/17/09

PAY: ONE THOUSAND TWO HUNDRED SEVENTY  
SIX DOLLARS AND 15/100

\$1,276.15  
DOLLAR ONE CORONA TWO SEVEN SIX PERIOD ONE FIVE  
Not Valid Over \$2,000.00

TO THE  
ORDER OF

Popular Mortgage  
Cuenta - 071010014723681

FDIC Member and Federal Reserve System

JUAN A. Lopez Rosario  
Purchaser's Signature  
PO Box 959  
Address Dorado, P.R. 00646

⑈06200010232⑈ ⑆021502011⑆ 000⑈010324⑈

MASTER ADDRESS LIST

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PO BOX 183114  
COLUMBUS, OH 43218-3114

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PO BOX 959  
DORADO, PR 00646-0959

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PO BOX 530927  
ATLANTA, GA 30353-0927

Jaime Rodriguez Law Office, PSC  
Atrium Plaza Apt 28 225 Jose Oliver St.  
San Juan, PR 00918-9704

WESTERN AUTO  
FIRST BANK  
PO BOX 11853  
SAN JUAN, PR 00910-3853

BANCO POPULAR  
VISA  
PO BOX 70100  
SAN JUAN, PR 00936-8100

CITIFINANCIAL  
PO BOX 71328  
SAN JUAN, PR 00936-8428

CITIFINANCIAL RETAIL SERVICES  
PO BOX 71398  
SAN JUAN, PR 00936-8498

FIRST BANK  
PO BOX 9146  
SAN JUAN, PR 00908-0146

RELIABLE FINANCIAL  
PO BOX 21382  
SAN JUAN, PR 00928-1382

RELIABLE FINANCIAL SERVICES, INC  
PO Box 21382  
San Juan, PR 00928-1382

RG MORTGAGE  
PO BOX 362394  
SAN JUAN, PR 00936-2394